

MICHAEL A. FREIMANN, ESQ. (admitted *Pro Hac Vice*)
MARTINE T. WELLS, ESQ. (admitted *Pro Hac Vice*)
BROWNSTEIN HYATT FARBER SCHRECK, LLP
410 17th Street, Suite 2200
Denver, CO 80202
Telephone: 303.223.1100
Facsimile: 303.223.1111
mfreimann@bhfs.com
mwells@bhfs.com

TRAVIS F. CHANCE, ESQ., Nevada Bar No. 13800
BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, NV 89106-4614
Telephone: 702.382.2101
Facsimile: 702.382.8135
tchance@bhfs.com

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SHAWN JAFFEE and DEREK KRITZ,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

WYNN LAS VEGAS, LLC a Nevada
domestic limited-liability company,
EMPLOYEE(S)/AGENT(S) DOES 1-10;
and ROE CORPORATIONS 11-20,
inclusive,

Defendant.

CASE NO.: 2:19-cv-00644-APG-NJK

**STIPULATION AND REQUEST TO
CONTINUE CONSOLIDATED HEARING
ON PENDING MOTIONS**

(First Request)

The parties, by and through their respective counsel of record, stipulate and request that the Court vacate the consolidated motion hearing currently set for December 30, 2019 and continue said hearing to January 15, 2020 at 2:00 p.m. In support of this Stipulation and Request, the parties state as follows:

1. On December 19, 2019, the Court set a consolidated hearing on pending motions regarding tip pooling for three cases, 2:13-cv-0580 (*Norsoph v. Riverside Resort and Casino*,

1 *Inc.*), 2:16-cv-2697 (*Carter v. Wynn Las Vegas, LLC*), and 2:19-cv-0644 (*Jaffee v. Wynn Las*
2 *Vegas, LLC*), for December 30, 2019.

3 2. Counsel for Defendant in *Norsoph v. Riverside Resort and Casino, Inc.* is attending an
4 Early Neutral Evaluation on December 30, 2019. Counsel for Defendant in *Carter v. Wynn Las*
5 *Vegas, LLC* is out of state on December 30, 2019 due to pre-planned travel. Counsel for Plaintiff
6 in *Norsoph v. Riverside Resort and Casino, Inc.* is also away on that date.

7 3. In an effort to maintain the efficiency sought by the Court in consolidating the hearings,
8 counsel for Defendant in *Carter v. Wynn Las Vegas* requested the availability of counsel for
9 Plaintiff in *Carter v. Wynn Las Vegas* and counsel for both parties in *Jaffee v. Wynn Las Vegas,*
10 *LLC*. While counsel for the other parties were available on December 30, 2019, they agreed to
11 continue the December 30, 2019 hearing to the next available date on the Court's calendar in
12 which all parties were available.

13 4. Counsel for Defendant in *Carter v. Wynn Las Vegas* contacted the Courtroom
14 Administrator, Ms. Melissa Johansen, to determine a new date on which the Court would be
15 available for a hearing on the parties' above-referenced motions. Ms. Johansen provided the date
16 of January 15, 2020 at 2:00 p.m. as a proposed new hearing date.

17 5. This request to continue the December 30, 2019 consolidated motion hearing is not sought
18 for any improper purpose or other reason of delay. Rather, it is sought only due to pre-existing
19 scheduling conflicts for multiple parties' counsel.

20 6. This is the first request to continue the December 30, 2019 consolidated motion hearing.

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WHEREFORE, the parties respectfully request that the Court vacate the current hearing date of December 30, 2019 and continue said hearing to January 15, 2020 at 2:00 p.m.

DATED this 23rd day of December, 2019.

/s/Christian J. Gabroy
CHRISTIAN J. GABROY, ESQ.
KAINE M. MESSER, ESQ.

JON R. MOWER, ESQ.
THEODORA ORINGHER PC

Attorneys for Plaintiffs

/s/Martine T. Wells
MICHAEL A. FREIMANN, ESQ.
(admitted *Pro Hac Vice*)
MARTINE T. WELLS, ESQ.
(admitted *Pro Hac Vice*)
TRAVIS F. CHANCE, ESQ.

Attorneys for Defendant Wynn Las Vegas, LLC

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

Dated December 27, 2019